Remarks and Arguments:

At point 4 of the Examiner's Detailed Action, the Examiner rejects changes to paragraphs [58] and [61] without stating reasons why. The Examiner only states that "Those rejected changes will not be allowed into the specification." The applicant respectfully submits that he amendments to paragraphs [58] and [61] do not add new subject matter, as a person of ordinary skill in the art reading the application would understand that operations management personnel interacts with the network management system through a graphical user interface thereof. Reconsideration of the rejection of the amendments is respectfully requested.

In order to establish a prima facie case of obviousness, the Examiner must cite analogous prior art, that teaches every element of the invention, and the Examiner must provide objective evidence of record to support combining such references in order to arrive at the described invention.

Claim 1 of the present application relates to a graphical user interface to a network management system. The graphical user interface has a single window. The single window includes two panes displayable simultaneously. The first pane displays representations of OSI Layer 3 entities. The second pane displays representations of OSI Layer 2 entities corresponding to a selected one of the OSI Layer 3 entities shown in the first pane. This allows management operations personnel to view the underlying OSI Layer 2 entities over which the selected OSI Layer 3 entity is provisioned.

In contrast, Engel does not teach a graphical user interface having a single window in which two panes are displayed simultaneously, the first pane displaying OSI Layer 3 entities, and

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the second pane displaying underlying OSI Layer 2 entities corresponding to a selected one of the OSI Layer 3 entities shown in the first pane.

The Examiner points to Fig. 19 as showing "layers of a network map". However the title of single pane window shown in Fig. 19 of Engel is "Protocol Tree". The applicant respectfully submits that in Fig. 19 Engel only shows relationships between protocols and does not teach showing relationships between an OSI Layer 3 entity and underlying OSI Layer 2 entities.

The Examiner points to col. 25 lines 41 to 45 as describing "a screen of data link layer". However, Engel describes building a screen in response to a request for data, request which is mapped to a single complex MIB. Engel defines an MIB in col. 1 lines 54-56 to be a group of vendor defined variables for a component. The applicant respectfully submits that Engel teaches displaying vendor defined variables for a component in a screen and does not teach showing representations of either OSI Layer 3 entities or representations of OSI Layer 2 entities.

The Examiner points to col. 26 lines 22-29 as describing "navigating through layers of network hierarchy". The applicant respectfully submits that the expression "navigating through layers of network hierarchy" is not defined anywhere in the Engel reference. The Examiner has inserted the word "network" in quoting from the Engel reference. However, the Engel reference relates to "layers of the hierarchy, as provided by SNM" and not to the OSI hierarchy. The applicant respectfully submits that the context surrounding the excerpt quoted by the Examiner relates to the topology of a network segment, i.e. OSI Layer 1 physical network configuration. Further, the applicant respectfully submits that Engel teaches what SMP, one of the most popular network management systems prior to 1995, could do; and does not teach showing an OSI Layer 3 entity and underlying OSI Layer 2 entities simultaneously displayed in different panes of a single graphical user interface window.

It is respectfully submitted that Engel does not teach elements of the invention. Instead Engel teaches inspecting packets conveyed in a network segment to extract vendor variables relating to multiple layered protocols in order to display all vendor variables relating to a single component in a single screen.

The Examiner's admission that "Engel does not show explicitly a single window [having] two panes showing Layer 2 and Layer 3 entities respectively" is noted.

· The Examiner states that Weinberg is "analogous prior art" which provides "visualization of web sites and hierarchical data structures". The applicant respectfully submits that web site content is application content which is OSI Layer 7 data. Therefore the Weinberg reference is non-analogous prior art.

Even if the Weinberg reference could be considered analogous prior art, Fig. 5 pointed to by the Examiner as showing two panes, in actual fact shows two panes of two distinct windows. Element 86 of the Weinberg reference is a window labeled "Pan Window" floating in front of the window entitled "Mercury1 — Astra". Therefore Weinberg does not teach a single window having two panes.

The Examiner points to col. 17 lines 21-39 for support for the description of a navigational aid for panning through a map. It is clearly understood that zooming shows the same information of the same layer in greater detail. The applicant respectfully submits that Weinberg does not teach simultaneously displaying OSI Layer 3 entities and different OSI Layer 2 entities corresponding to a selected OSI Layer 3 entity in different window panes of a single window. Paragraphs [70] to [74] of the present application refer to "drilling-down" through connectivity information corresponding to different OSI Layers.

It is respectfully submitted that Weinberg teaches away from the invention. Weinberg simply teaches showing portions of a map of OSI Layer 7 information in greater detail.

The Examiner has omitted to account for the essential element of independent claim 1 wherein relationships between a selected OSI Layer 3 entity and the corresponding OSI Layer 2 entities are displayed simultaneously in corresponding panes of a single window.

It is well established that in order to establish a case of prima facie obviousness under 35 USC 103(a) that there must be objective evidence, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teaching of the references.

Applicant respectfully submits that the Examiner did not provide necessary objective evidence of any teaching, motivation or suggestion for combining the references to enable an application of Section 103(a), as cited. Applicant submits that the Examiner is required to provide such evidence. *In re Lee*, 61 USPQ2d 1430 (CA FC 2002) states that "[w]hen patentability turns on the question of obviousness, the search for and analysis of the prior art includes evidence relevant to the finding of whether there is a teaching, motivation, or suggestion to select and combine the references relied on as evidence of obviousness"; *In re Lee*, supra, also states that the rationale for combining references "must be based on objective evidence of record" and cannot be "resolved on subjective belief and unknown authority". See pages 1433 and 1434.

The motivation mentioned by the Examiner to "zoom in the contents of a map [while] still keep[ing] the current context of the map as per Weinberg", if applied to network management as described by Engel, would only provide panning through OSI Layer 1 information.

In summary, neither Engel nor Weinberg teach a graphical user interface for a network management system, the graphical user interface having a single window, the single window

having two panes displayed simultaneously, OSI Layer 3 entities being displayed in the first pane,

OSI Layer 2 entities corresponding to an OSI Layer 3 entity selection being displayed

simultaneously in the second pane, such that relationships between the selected OSI Layer 3 entity

in the first pane and the corresponding OSI Layer 2 entities in the second pane are displayed

shown.

Therefore the applicant respectfully submits that the Examiner has failed to establish a

prima facie case of obviousness as the Weinberg reference is non-analogous prior art, Engel and

Weinberg do not teach all the elements of the invention as claimed, and no objective evidence of

record was provided teaching the combination of the two cited references in order to arrive at

claimed invention. Independent claims 7 and 13 include similar limitations to those in claim 1.

Claims 2 to 6, 8 to 12, and 14 to 18 are variously dependent from respective independent claims 1,

7, and 13, and include all the limitations thereof. For these reasons, the applicant respectfully

submits that the subject matter of claims 1 to 18 of the present application is not obvious in view of

the cited references.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,

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